

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**EDDIE HUGHES**

**PLAINTIFF**

**v.**

**NO. 4:04CV221-P-D**

**DR. JOHN BEARRY, ET AL.**

**DEFENDANTS**

**FINAL JUDGMENT**

Upon consideration of the file and records in this action, including the Report and Recommendation of the United States Magistrate Judge dated December 13, 2004, and the December 22, 2005, objections to the Report and Recommendation, the court finds that the plaintiff's objections are without merit and that the Magistrate Judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is, therefore

**ORDERED:**

1. That the Report and Recommendation of the United States Magistrate Judge dated December 13, 2004, is hereby approved and adopted as the opinion of the court.
2. That the instant case is hereby **DISMISSED** with prejudice for failure to state a claim upon which relief could be granted.
3. That this case is **CLOSED**.

THIS, the 29<sup>th</sup> day of April, 2005.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE